



to the parties to amend the pleadings “when justice so requires.” Fed. R. Civ. P. 15(a)(2). “The law is well settled ‘that leave to amend a pleading should be denied *only when* the amendment would be prejudicial to the opposing party, there has been bad faith on the part of the moving party, or the amendment would be futile.’” Edwards v. City of Goldsboro, 178 F.3d 231, 242 (4th Cir. 1999) (quoting Johnson v. Oroweat Foods Co., 785 F.2d 503, 509 (4th Cir. 1986)). The decision to grant or deny a motion for leave to amend is within the sound discretion of the district court. *See Foman v. Davis*, 371 U.S. 178, 182 (1962).

Here, the proposed amended complaint does not state any new claims of action against Akin Gump or add any additional defendants. There is no evidence of bad faith on SAS’s part, nor does it appear that any amendment would be futile. Finally, Akin Gump does not “actively oppose” the motion to amend. (DE-84, pp.1-2). Accordingly, SAS’s motion to amend the complaint is GRANTED.

#### **Motion to Seal (DE-73)**

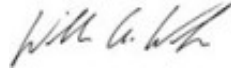
SAS seeks to seal its proposed Exhibit B to its amended complaint, which are documents marked “Highly Confidential—Attorneys’ Eyes Only.” Such documents are protected under the terms of the Court’s order entered December 20, 2011. (DE-81). SAS’s motion to seal (DE-73) is therefore GRANTED.

#### **Motions for Extension of Time to Complete Discovery (DE-89, DE-96)**

SAS requests the Court extend the time to serve its responses to Akin Gump’s second set of interrogatories and second requests for production of documents by an

additional thirty days, to and including February 8, 2012. Akin Gump consents to the motions. As there is no evidence of bad faith or undue delay, the motions (DE-89, DE-96) are GRANTED. The time in which SAS may serve its responses to Akin Gump's second set of interrogatories and second requests for production of documents is accordingly expanded up to and including February 8, 2012.

DONE AND ORDERED in Chambers at Raleigh, North Carolina this 10<sup>th</sup> day of January, 2012.



---

WILLIAM A. WEBB  
UNITED STATES MAGISTRATE JUDGE